

W-02105A-01-0556



0000039504

## COMPLIANCE FILING INSTRUCTIONS

Attached is an Arizona Corporation Commission Decision, which may contain certain ordering provisions that require compliance within specific time periods. Please read the ordering paragraphs of the Decision carefully and comply with all of its provisions.

When the Decision requires the filing of documents with the Commission, or is silent as to where to file the documents, you must file an original and ten (10) copies of these documents with:

Docket Control Center  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

and, one copy to:

*Docket # W-02105A-01-0556*  
*Decision # 64287*

Compliance Section  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Some Decisions may require you to file the documents with the Director of the Utilities Division or Staff. File an original and one (1) copy with:

Compliance Section  
Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Some Decisions may require you to file the documents with the Compliance Section of the Utilities Division. File an original and one (1) copy with the Compliance Section at the address shown above.

If for any reason you cannot comply by the time specified in the Commission's Decision, you may request an extension of time. This request must be made at least thirty (30) days prior to the due date for compliance in order to allow for consideration by the Commission. In your request, please describe in detail the reasons why you cannot comply. Address your request, with an original and ten (10) copies, to Docket Control at the address above.

RECEIVED

2002 FEB -5 A 11:16

AZ CORP COMMISSION  
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

FEB 05 2002

DOCKETED BY

*rac*

TOTAL P.01

4A.



2001053880 BK 3846 PG 976  
OFFICIAL RECORDS OF MOHAVE COUNTY  
JOAN MC CALL, MOHAVE COUNTY RECORDER  
08/31/2001 04:29P PAGE 1 OF 4  
FIRST AMERICAN TITLE INS CO  
RECORDING FEE 12.00

When recorded, return to:  
Mt. Tipton Water Company  
P. O. Box 38  
Dolan Springs, AZ 86441

RECEIVED

2002 FEB -5 A 11: 17

MICROFILMED

163464

AZ CORP COMMISSION  
WARRANTY DEED  
DOCUMENT CONTROL

For and in consideration of Ten Dollars, and other valuable considerations, I or we,

**JIMMY D. HAMM and MARGARET M. HAMM, husband and wife,**

the GRANTOR

do hereby convey to

**MT. TIPTON WATER COMPANY, INC., an Arizona non-profit corporation**

the GRANTEE

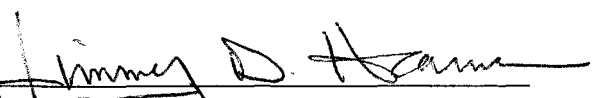
the following described real property situate in Mohave County, Arizona:

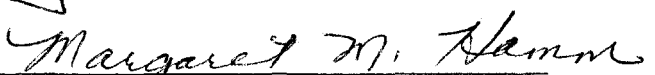
See attached EXHIBIT "A"

SUBJECT TO: Existing taxes, assessments, covenants, conditions, restrictions, rights of way and easements of record.

And the GRANTOR does warrant the title against all persons whomsoever, subject to the matters above set forth.

Dated: August 23, 2001

  
Jimmy D. Hamm

  
Margaret M. Hamm

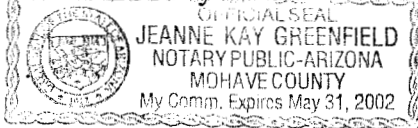
Arizona Corporation Commission  
**DOCKETED**  
FEB 05 2002  
DOCKETED BY 

--

STATE OF ARIZONA       )  
                                  )ss.  
County of Mohave       )

On August 23, 2001, before me, the undersigned Notary Public, personally appeared JIMMY D. HAMM and MARGARET M. HAMM, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



My Commission expires:

*May 31, 2002*

*Jeanne Kay Greenfield*  
Notary public

**EXHIBIT "A":**

**No. 291-000-163464**

**PARCEL NO. 1:**

The Southwest quarter of the Northeast quarter (SW1/4 NE1/4) of Section 31, Township 26 North, Range 18 West of the Gila and Salt River Base and Meridian, Mohave County, Arizona.

**PARCEL NO. 2:**

That portion of the Northwest quarter (NW1/4) of Section 31, Township 26 North, Range 18 West of the Gila and Salt River Base and Meridian, Mohave County, Arizona, lying Southerly and Easterly of the following described line:

BEGINNING at a point on the West line of said Section 31 which lies a distance of 1600 feet South of the Northwest corner of said Section 31;

thence North 87 degrees 15 minutes 30 seconds East a distance of 925.71 feet;

thence South 50 degrees 58 minutes 45 seconds East a distance of 70.22 feet;

thence South 89 degrees 56 minutes East a distance of 277.92 feet;

thence North 00 degrees 04 minutes East a distance of 358.68 feet;

thence South 69 degrees 21 minutes 45 seconds East a distance of 220.02 feet more or less to a point on the North line of the South half of the Northwest quarter (S1/2 NW1/4) of said Section 31;

thence East along said North line to a point on the North-South Mid-Section line of said Section 31 and the end of this line description.

EXCEPT that portion thereof described as follows:

BEGINNING at a point which lies South 39 degrees 44 minutes East a distance of 1919.70 feet from the Northwest corner of said Section 31;

thence East a distance of 802.00 feet;

thence South a distance of 420.00 feet;

thence West a distance of 802.00 feet;

thence North a distance of 420.00 feet to the Point of Beginning.

**EXHIBIT "A":**

**No. 291-000-163464**

**EXCEPTING FROM PARCELS 1 and 2, one-half of all gas, oil, and minerals as reserved in Deed recorded in Book 56 of Deeds, page 486.**

**PARCEL NO. 3:**

Lot 8, Block "F" of LAKE MOHAVE RANCHOS DOLAN SPRINGS ESTATES UNIT ONE, TRACT 1033, according to the plat thereof, recorded February 7, 1967, at Fee No. 20994 in the office of the County Recorder of Mohave County, Arizona.

EXCEPT all gas, oil, metals and mineral rights as reserved to the State of Arizona, in the Patent to said land recorded in Book 57 of Deeds, Page 285.

**PARCEL NO. 4:**

That portion of Lot 6, Block "F" of LAKE MOHAVE RANCHOS DOLAN SPRINGS ESTATES, UNIT ONE, TRACT 1033, according to the plat thereof, recorded February 7, 1967, at Fee No. 20994 in the office of the County Recorder of Mohave County, Arizona, more particularly described as follows:

Beginning at the most Southerly corner of said Lot 6;

thence North 50 degrees 05 minutes 20 seconds East along the Southeasterly line of said Lot 6, 54.00 feet to a point;

thence North 39 degrees 54 minutes 40 seconds West, 117.00 feet to a point on the Northwesterly line of said Lot 6;

thence South 29 degrees 56 minutes 45 seconds West, 57.52 feet to the most Westerly corner of said Lot 6;

thence South 39 degrees 54 minutes 40 seconds East, along the Southwesterly line of said Lot 6, 97.20 feet to the point of beginning.

EXCEPT all gas, oil, metals and mineral rights as reserved to the State of Arizona, in the Patent to said land recorded in Book 57 of Deeds, Page 285.

When recorded, mail to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_  
\_\_\_\_\_

Space above this line for Recorder's use

## CONTRACT

and

### AGREEMENT OF SALE

THIS CONTRACT, made and entered into this 5 day of July, ~~19~~ 2001, by and between Mount Tipton Water Co., Inc, an Arizona non-profit corporation

the First party, and Jimmy D. and Margaret M. Hamm, husband and wife

the Second party:

WITNESSETH: That the First Party agrees to pay to the Second Party the sum of Six Hundred Fifty  
Thousand and no/100 Dollars (\$650,000.00), and the

Second Party agrees as follows: As 100% shareholders of the Dolan Springs Water Co., Inc, an Arizona corporation, the Second Party agrees to sell all stock of the Dolan Springs Water Co., Inc with accompanying deeds, Certificate of Need and Necessity and Mohave County franchise to the First Party. The Second Party also sells property being 107+ acres (parcel 328-07-027), office/home complex with driveway (parcel 319-20-110A and parking lot (parcel 319-20-108C) to the First Party. //////////////////////////////////////

#### THE PARTIES FURTHER COVENANT AND AGREE AS FOLLOWS:

1. All assets/properties are being sold and accepted in "As Is" condition. First Party agrees to pay all closing costs involved in the sale with the exception of property tax on parcels 328-07-027, 319-20-110A and 319-20-108C which will be prorated to date of sale. Second Party will pay prorated taxes with their personal check. All records, bank account, assets and liabilities of the Dolan Springs Water Co., Inc will be transferred to Mount Tipton Water Co., Inc. upon receipt of payment in full. //////////

2. **ATTORNEY FEES:** In the event of a breach of this Contract by either party, the offended party may either elect to cancel this Contract by serving a Ten (10) day written notice upon the offending party to cure the alleged breach, or pursue those remedies available in a Court of Law, including, but not limited to, an order requiring the specific performance of the contract terms by the offending party, in addition to all Court costs and reasonable attorney fees.
3. **SAVINGS CLAUSE:** In the event any provision of this Contract should be held invalid, such invalidity shall not affect the remaining provisions hereof, it being the intent of the parties that each of the provisions and covenants shall be independent of each of the others so that all valid provisions shall be strictly enforced, irrespective of the invalidity of any other provision.

IN WITNESS WHEREOF, the parties have executed this Contract this 5 day of July, 2001.

William Rodgers  
William Rodgers First Party, President  
Herman Jackowiak  
Herman Jackowiak First Party, Sec/Treas

Jimmy D. Hamm  
Jimmy D. Hamm Second Party  
Margaret M. Hamm  
Margaret M. Hamm Second Party

State of ARIZONA )  
County of MOHAVE )

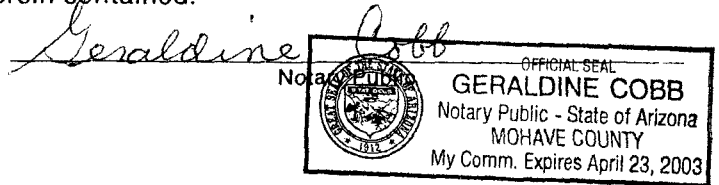
ss.

**ACKNOWLEDGMENT**

On this 5th day of July, 2001, before me, the undersigned Notary Public, personally appeared, William Rodgers and Herman Jackowiak, as President and Secretary/Treasurer of Mount Tipton Water Co., Inc.

to me known to be the individual(s) described in and who executed the foregoing instrument and acknowledged that ~~he/she~~ (they) executed the same for the purposes therein contained.

My Commission Expires: April 23, 2003



State of ARIZONA )  
County of MOHAVE )

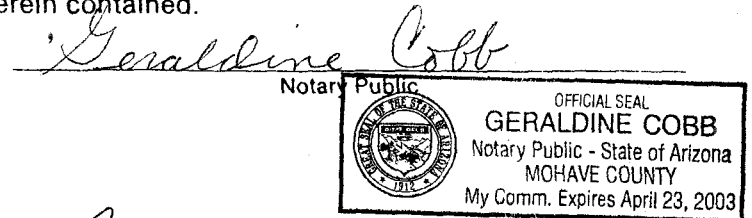
ss.

**ACKNOWLEDGMENT**

On this 5th day of July, 2001, before me, the undersigned Notary Public, personally appeared, Jimmy D. Hamm and Margaret M. Hamm

to me known to be the individual(s) described in and who executed the foregoing instrument and acknowledged that ~~he/she~~ (they) executed the same for the purposes therein contained.

My Commission Expires: April 23, 2003



Concur: Victor Nicholson  
Peter Homer  
Floyd Nash  
John Mershon Sr  
David Estenson

Victor Nicholson, Director  
Peter Homer, Director  
Floyd Nash, Vice-President  
John Mershon Sr, Director  
David Estenson, Director